

Policing Policies & Services Subcommittee of the  
Northampton Policing Review Commission

MEETING AGENDA

Wednesday, December 2, 2020

7-8pm

Remote Meeting

**Join the Remote Meeting:**

<https://zoom.us/j/95479236229?pwd=R0srM0NBL2g1QjZKUnBTRTZCVnNoUT09>

**Video conference:**

**Or by telephone, call:** +1 929 436 2866    Meeting ID: 954 7923 6229    Passcode: 773975

1. Call to Order by meeting chair, Nick Fleisher
  - Announcement of Zoom Recording
  - Roll Call
2. Review of questions submitted to NPD. Discussion of feedback from the full Commission meeting.
3. Beginning discussion of recommendations to the larger Commission body.
4. Consideration of direct meeting with the Northampton Police Chief.
5. New Business
6. Proposed Agenda for next meeting
7. Adjourn

## **1. Call to order and Announcement of Zoom Recording**

**Commissioner Nick Fleisher made an announcement that this meeting was being recorded for the public record. The recording will be available on Northampton Open Media, as well as, the City of Northampton website.**

**Commissioner Nick Fleisher started at 7:04pm and suggested each member sharing their thoughts about the public hearing.**

### **Roll Call**

Nick Fleisher Present

David Hoose Present

Elizabeth Barajas-Roman Present

Dr. Nnamdi Pole Present

Dr. Cynthia Suopis Present

Commissioner Nnamdi Pole said inquiring into current police practices in Northampton is important to the commission's process he found it helpful to hear conflicting experiences people have with school resource officers and feels strongly the diversity of perspective continues in some form.

Commissioner David Hoose said he feels pride in this process and feels it is a privilege to serve on a commission like this. He said he feels glad pro-police individuals showed up, though he doesn't agree with them he is trying to keep an open mind, and that there needs to be credibility of the process.

Commissioner Elizabeth Barajas-Roman thanked the co chairs for their work, and shared she feels troubled about moving forward. She said it is evident to her there are people who are interested in having an aggressive police force, and that the commission has to do research widely, taking national studies as well as listening to advocates. She said the point the commission is missing is that it hasn't yet defined its value system. She also said that she feels the summaries coming out of the committee doesn't represent the process of all of the members accurately, and relaying any definitive information feels premature.

Commissioner Cynthia Suopis said this is a process and that the commission is developing. She noted the comments about training and it's ineffectiveness resonates in some ways, and she reminded the commission of its intentions; to review the policies and procedures of the police department as it stands. She said she learned a lot from the public hearing and she hopes the commission can continue to be true to the process.

Commissioner Nick Fleisher said he feels glad to continue chairing the subcommittee, but thinks the reporting would be better achieved by someone who is not a white male who has been working within the system. He said he feels unsure how to send summaries to the commission to review beforehand. He said he feels the public hearing was powerful and that it shifted some of his thinking. He said hearing other peoples' points of view should continue to be heard, and he understands the experience of people who have been subject to victimization from police should be given more weight in terms of sharing their point of view. He said the commission is tasked with addressing the problems that militaristic authority inherently escalates and that the public hearing reinforced for him that the commission needs to be seeking alternatives to authoritative power presence when it's feasible and makes sense.

Commissioner David Hoose said in the early subcommittee meetings, he questioned why the commission was looking at the policies, when they're going to look great on paper. He said he felt after the report, he felt personally at sea because he feels like the subcommittee should be examining the services provided and looking to see what other entities can better provide those services. He said mental health calls are low hanging fruit. He said he would like to see the commission focus on services rather than the policies side with the exception of the citizen review process, as well as who is being hired and how they are trained.

Commissioner Namndi Pole said one of the goals of the commission should be to achieve procedural justice. He said the commission should want a process where the members don't know the outcome, and where the data guides the commission to the outcome. He said, the commission is making decisions that have to be just decisions. He said it is important to hear the roles the police are doing, in part so the commission can recommend where these roles could be replaced, abolished or shifted.

Commissioner Dan Cannity said "police" means different things and that what task is understanding what the police provide that is community safety and what can be easily moved from the police. He said it is central to try to understand the impacts of changing these processes. He said when people say they like the police, people have shared they like police because they came when they needed help which is not invaluable information in terms of offering recommendations.

Commissioner Elizabeth Barajas-Roman said she feels adamantly about moving forward in a way that has fairness, equity and a just process. She explained further, community safety has context, police do not respond to community safety in the same way, and the experience of policing affects how people interact with police. She said she rejects the notion that the Northampton police are exempt, and that the Northampton police benefit from fear-based militaristic culture designed to rule the public, specifically people of color, on fear. She explained further she feels concerned, that no matter how many people of color are giving witness to their experience with police in Northampton, for some reason the commission keeps wanting to hear more experience from people who are most affected. She asked the subcommittee if it feels like it's not hearing from those most impacted and feels there is a minimizing that's happening.

**Commissioner Nick Fleisher proposed the subcommittee goes until 8:30 and asks for any objections. The members respond unanimously to continue until 8:30.**

Commissioner Nick Fleisher asked for proposals about moving in the direction of focusing on services. He wondered whether there are places where the power differential could be shifted, and where the subcommittee should start looking.

Commissioner Nnamdi Pole asked Commissioner Nick Fleisher for clarification. Commissioner Nick Fleisher said he has perceived these areas ( mental health, houseless residents, domestic violence, and the schools) as police are least trained to manage, and having non authority figures could be most helpful

Commissioner Elizabeth Barajas-Roman said she would like to add rape, sexual assault, traffic, and surveillance to the list. She said there is active use of drones by surveillance in Northampton, which is not something she thinks is a service police should be doing. She said there are crimes associated with being unhoused and that it feels like this more about the fact that these issues are ones that advocates have come forward and said are least helpful to have police involved.

Commissioner David Hoose said he would like to point out some of these things are easier than others. He said we start getting into rape, he agrees the majority do not require police, and that sometimes when a violent crime is committed, they are needed. He said some of these things are more nuanced and would like to see the subcommittee moving forward to hear examples of other communities dealing with these issues.

Commissioner Nnamdi Pole said he would like to know more about qualified immunity and where that stands in Northampton.

Commissioner Nick Fleisher asked Commissioner Nnamdi Pole if he is interested in forwarding questions to the police about qualified immunity.

Commissioner Nick Hoose said this is a complicated legal doctrine but that it is a court created doctrine. He explained, it means that a police officer shouldn't be liable for making a reasonable mistake. He said the problem is the way it's been construed by the supreme court which has made it more broad so that officers can get away with things, because it can be asserted by officers in a situation where officers said everything was reasonable unless there was a prior case with exactly the same facts.

Commissioner Nnamdi Pole and Commissioner Nick Fleisher asked clarifying questions and asked whether this is worth pursuing with the department.

The commissioners decide to table the discussion on qualified immunity.

Commissioner Nick Fleisher listed these areas: rape, sexual assault, traffic violations, and surveillance as areas where questions would be helpful.

Commissioner Elizabeth Barajas-Roman asked for clarification on these topics and said we're talking about police response, which is critical. It's about when should police respond. Police response is not helpful during rape and sexual assault. Which is not to say charging of crimes shouldn't be the end point. How you get there is important for the safety of survivors.

Commissioner Nick Fleisher asked if there is a policy on rape and sexual assault already.

Commissioner Elizabeth Barajas-Roman said if someone wants to report sexual assault, an armed officer handles that intake in the same way a purse is stolen. She said the commission should look at this particular service they don't provide, but that they respond to. She suggested offering an examination of the policies and procedures on rape, sexual assault and making a recommendation about how these instances should be responded to.

Commissioner Nick Fleisher asked the commission how it would like to proceed.

Commissioner Elizabeth Barajas-Roman said she doesn't agree with the concept of low hanging fruit. She said there are some of these topics that are more nuanced and will take more research and thoughtful approach. She said the commission heard calls for bold and creative and courageous recommendations from this committee and that she is leaning into that charge.

Commissioner David Hoose said low hanging fruit means there are easy places to start.

Commissioner Elizabeth Barajas-Roman said in her experience it's important to bundle hard things with easy things in policy work and suggested the commission package these issues.

Commissioner David Hoose said he is trying to use low hanging fruit as a starting point, not in a way that would limit the commission's work.

Commissioner Nick Fleisher asked for recommendations on how to move forward with these seven topic areas.

Commissioner David Hoose suggested dividing them up and coming back to the next meeting with a report.

The commissioners discuss how they will break up their research into these specific topics.

The commissioners discuss scheduling the next subcommittee meeting.

**Commissioner Nick Fleisher moved to adjourn the meeting at 8:39pm. The motion adjourn is passed unanimously.**